

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Case No. 15-CV-3456 (PJS/KMM)

Plaintiff,

v.

ORDER FOR JUDGMENT

JAMES M. LOUKS and FIBERPOP
SOLUTIONS, INC.,

Defendants.

Charles J. Kerstetter and Ariella O. Guardi, U.S. SECURITIES AND EXCHANGE
COMMISSION, for plaintiff.

Gary Hildebrand, for defendant James M. Louks.

This matter is before the Court on plaintiff's unopposed motion for entry of final judgment establishing the amount of disgorgement, prejudgment interest, and civil penalties to be paid by each defendant. For the reasons stated on the record at the January 13, 2017 hearing, the motion [ECF No. 79] is granted.

Accordingly, IT IS HEREBY ORDERED THAT:

1. Defendants are jointly and severally liable for a total amount of \$7,679,578.72, which consists of disgorgement of \$5,285,542 in profits gained as a result of the conduct alleged in the complaint and \$2,394,036.72 in prejudgment interest. Payment is due 14 days from the date of the judgment.

2. Defendants must make payment to the Securities and Exchange

Commission ("SEC"), by one of the following methods:

- a. Electronically to the SEC, which will provide detailed ACH transfer/Fedwire instructions upon request.
- b. From a bank account via Pay.gov through the SEC website at <http://www.sec.gov/about/offices/ofm.htm>.
- c. By certified check, bank cashier's check, or United States Postal money order. The check or money order must be payable to the Securities and Exchange Commission and must be accompanied by a letter that identifies the case title, civil-action number, and name of this Court; identifies James M. Louks and FiberPop Solutions, Inc. as defendants in this action; and specifies that the payment is being made pursuant to the judgment in this case. The check or money order and accompanying letter must be delivered or mailed to the following address: Enterprise Services Center, Accounts Receivable Branch, 6500 South MacArthur Boulevard, Oklahoma City, OK 73169.

3. Upon making payment, defendants must simultaneously submit photocopies of evidence of payment and case-identifying information to the SEC's counsel in this action.
4. By making payment, defendants relinquish all legal and equitable right, title, and interest in the funds paid. No part of those funds may be returned to defendants.
5. The SEC shall hold the funds and may propose a plan to distribute the funds subject to the Court's approval. The Court shall retain jurisdiction over the administration of any distribution of the funds. If SEC staff determine that the funds will not be distributed, the SEC shall send the funds to the United States Treasury.
6. Defendants must pay post-judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961.
7. No civil penalty is imposed.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 13, 2017

s/Patrick J. Schiltz

Patrick J. Schiltz

United States District Judge